

UPDATED INFORMATIVE DIGEST

County placement agencies use licensed private Foster Family Agencies (FFAs) for the placement of children who require more intensive care as an alternative to group homes. By statute, FFAs are organized and operated on a non-profit basis.

Section 92 of SB 1013 repealed Welfare and Institutions Code (WIC) section 11463 and Section 93 of Senate Bill (SB) 1013 added back in WIC section 11463 with substantive changes to the FFA rate.

This legislation changed the rate-setting system to reflect increases in the basic care and supervision rates paid to foster families certified by FFAs and an annual cost-of-living adjustment to those rates, to bring them into parity with basic rates paid to licensed foster family homes (which were recently increased as a result of litigation). Section 93 of SB 1013 further specifies that these changes shall not change the remaining components of the FFA rate.

The provisions in this package will also rely on the department, counties and foster care providers to implement and maintain the rate-setting system for FFAs. Beginning in the 2011-12 Fiscal Year and for each fiscal year thereafter, an annual cost of living increase to the basic rate component of the FFA rate based on the California Necessities Index shall occur, eliminating the prior rate ceiling. The rate amounts will no longer appear in regulation but in an All County Letter issued every fiscal year.

In addition, the department shall specify the purposes, types, and services of FFAs, including the use of those agencies for the provision of emergency shelter care. Now, a clear distinction is made between FFAs that provide treatment of children in foster families and those that provide non-treatment services.

This regulation package also contains numerous grammatical, clerical and changes for clarity of the FFA rate system as well as elimination of obsolete language originally established by the department and/or created by the new legislation.

The regulatory action will benefit children who are placed in FFAs because they require more intensive care. By clarifying the new rate-setting methodology effective as of July 1, 2012, the certified homes that serve these children will be ensured the same financial resources as currently paid to children in foster family homes.

The department considered other possible related regulations in this area and concluded that these proposed regulations are neither inconsistent nor incompatible with state statute for statewide administration of the Aid to Families with Dependent Children-Foster Care program and the intent of the legislature in adopting SB 1013.

These regulations were considered at the public hearing held on September 3, 2014, in Sacramento, California. No written or oral testimony was received during the 45 day comment period from July 18 to September 3, 2014. No further changes were made to the regulations after the public hearing.